

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

JOSEPH P. HART,

Petitioner

v.

**RALPH HOOKS, WARDEN,
and THE ATTORNEY GENERAL
OF THE STATE OF ALABAMA,**

Respondents

Civil Action No. CV 04-S-1325-M


DISMISSAL ORDER

On June 30, 2005, the magistrate judge's report and recommendation was entered and the parties were allowed therein fifteen (15) days in which to file objections to the recommendations made by the magistrate judge. No objections have been filed by the petitioner or the respondents.

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge and it is therefore

ORDERED, ADJUDGED and DECREED that the petition for writ of habeas corpus in this action be and the same hereby is DISMISSED WITHOUT PREJUDICE.

DONE this 5th day of October, 2005.


United States District Judge